

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**BECKLEY DIVISION**

SERRANO JUAN PABLO,

Plaintiff,

v.

CIVIL ACTION NO. 5:06-cv-00285

CHARLES T. FELTS,  
Warden, FCI Beckley,

Defendant.

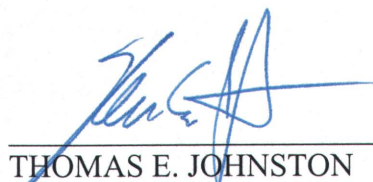
**JUDGMENT ORDER**

By Standing Order entered on July 21, 2004, and filed in this case on April 18, 2006, this action was referred to United States Magistrate Judge R. Clarke VanDervort for submission of proposed findings and a recommendation (PF&R). Magistrate Judge VanDervort filed his PF&R on April 4, 2007 [Docket 9]. In that filing, the magistrate judge recommended that this Court dismiss Plaintiff's Complaint [Docket 1] without prejudice for failure to prosecute, and remove this matter from the Court's docket. The Court adopts Magistrate Judge VanDervort's recommendation in its entirety.

The Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). In this case, pursuant to 28 U.S.C. § 636(b)(1)(B), and Rule 6(e) and 72(b) of the Federal Rules of Civil Procedure, objections to the PF&R were due by April 20, 2007. To date, no objections have been filed.

Accordingly, the Court hereby **DISMISSES** Plaintiff's Complaint [Docket 1] without prejudice for failure to prosecute, and **DIRECTS** the Clerk to remove this action from the Court's docket. The Court further **DIRECTS** the Clerk to send a copy of this Judgment Order to counsel of record and any unrepresented party.

ENTER: November 8, 2007

A handwritten signature in blue ink, appearing to read 'Th. Johnston', is written over a horizontal line.

THOMAS E. JOHNSTON  
UNITED STATES DISTRICT JUDGE